## IN THE DISTRICT COURT OF THE UNITED STATES FOR THE WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION

**CIVIL NO. 1:09CV305** 

GAYLE FRANKLIN COURTNEY,	)
Plaintiff,	)
Vs.	ORDER OF DISMISSAL
BEST DEAL IMPORTS LIQUIDATORS, INC.,	) ) )
Defendant.	) ) )

**THIS MATTER** is before the Court on a letter from the Plaintiff dated August 14, 2009, and filed by the Clerk on August 17, 2009, which the Court construes as a motion for voluntary dismissal.

The letter is submitted in response to one from the Clerk of this Court to the Plaintiff advising her that no filing fee or application to proceed without the payment of fees was received with her complaint herein. She was asked to pay the fee or file the application as soon as possible. Also enclosed with the Clerk's letter to the Plaintiff were summons forms along with a *Pro Se Litigant Guide*.

Plaintiff's letter states the following:

Thank you for the information received yesterday. After much review and consideration I shall respectfully decline to pursue the above matter for health and other reasons too numerous to lay out in this letter. Please allow me/the case I filed, be dismissed.

Plaintiff's Letter, supra. Therefore, pursuant to the Plaintiff's request,

IT IS, THEREFORE, ORDERED that the Plaintiff's letter, construed as a motion for voluntary dismissal, is **ALLOWED**, and this matter is hereby **DISMISSED**.

Signed: August 20, 2009

Lacy H. Thornburg

United States District Judge